



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Timothy W. CONNER *et al.*

Appln. No.: 09/540,234

Filed: April 3, 2000

Title: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: 1631

Examiner: Shubo ZHOU

Atty. Docket: 38-21(15726)B

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**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 5, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Arnold & Porter check no. 201442 submitted herewith includes payment of the fee of \$320.00 for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)). In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for in the papers accompanying this Notice are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 13-4125, referencing docket number 38-21(15726)B. A duplicate copy of this Notice is attached.

Respectfully submitted,

Lawrence M. Lavin, Jr.

Lawrence M. Lavin, Jr. (Reg. No. 30,768)
by David R. Marsh (Reg. No. 41,408)
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Date:

July 3, 02

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July 3, 2002

Commissioner for Patents
Washington, D.C. 20231

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Re: U.S. Patent Application No. 09/540,234
Filed: April 3, 2000
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants
Inventors: Timothy W. CONNER *et al.*
Atty. Docket: 16517.001/38-21(15726)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate);
2. Arnold & Porter check no. **201442** in the amount of \$320.00 to cover the Notice of Appeal fee; and
3. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)
Holly Logue Prutz (Reg. No. 47,755)

Attachments